

REMARKS

Claims 21-33 are pending in this application. By this Response, Applicant is amending claims 21, 23, 24, 27, 28, 29 and 32, canceled claims 22 and 31, and has added claims 34-39. Accordingly, claims 21, 23-30, and 32-39 are at issue. Applicant respectfully submits no new matter was added by these amendments.

The Examiner has objected to claim 23 “because of the following informalities: . . .there is a lack of antecedent basis in the specification for the processor generating and outputting a ‘binary signal.’” Applicant has amended claim 23 to change “binary” to “digital.” Accordingly, Applicant respectfully submits this objection is now moot.

The Examiner has rejected claims 29-33 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperation of elements. Applicants have amended claim 29 to identify the processor unit as the structure for determining and storing the temperature. Accordingly, Applicant respectfully submits this rejection is now moot.

The Examiner has rejected claims 28 and 29 under 35 U.S.C. 102(b) as being anticipated by Audy. Applicant respectfully traverses this rejection.

Claim 28, as amended herein, requires “providing a controller hosting a processor unit for the controlling the current source and determining the temperature proximate the diode.” This step is not disclosed or suggested in Audy. Accordingly, Applicant respectfully submits claim 28 is in condition for allowance.

Claim 29 has been amended to include the limitations of claim 31, and has further been amended to show the structural cooperative relationship between the processor and the determining and storing means. Audy does not disclose “a controller configured to host the processor unit, the means for controlling the current source, and the means for determining a temperature.” Accordingly, Applicant respectfully submits claim 29 is patentable over Audy and in condition for allowance.

Claims 30 and 32-33 depend on claim 29, either directly or indirectly, and include each of its limitations. Accordingly, Applicant respectfully submits claims 30 and 32-33 are also patentable over Audy and in condition for allowance.

The Examiner has rejected claim 21 under 35 U.S.C. 103(a) as being unpatentable over Audy in view of Thomson. Applicant respectfully traverses this rejection.

Claim 21 has been amended to include “a controller configured to host said processor unit.” This limitation is not disclosed or suggested in Audy or Thomson. Accordingly, Applicant respectfully submits claim 21 is in condition for allowance.

The Examiner has rejected claim 23 under 35 U.S.C. 103(a) as being unpatentable over Audy and Thomson, as applied to claim 21, and further in view of Hamilton. Applicant respectfully traverses this rejection.

As set forth above, Applicant respectfully submits claim 21 is in condition for allowance. Claim 23 depends on claim 21 and includes each of its limitations. Accordingly, Applicant respectfully submits claim 23 is also in condition for allowance.

The Examiner has rejected claim 30 under 35 U.S.C. 103(a) as being unpatentable over Audy in view of Hamilton. Applicant respectfully traverses this rejection.

As set forth above, Applicant respectfully submits claim 29 is in condition for allowance. Claim 30 depends from claim 29 and includes each of its limitations. Accordingly, Applicant respectfully submits claim 30 is also in condition for allowance.

New claims 34-39 are directed to a networked system for automated temperature measurement. Applicant submits the limitations of claims 34-39 are not disclosed in any of the cited references, either alone or if properly combined.

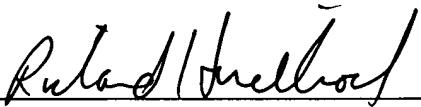
CONCLUSION

In light of the foregoing Amendments and Remarks, Applicant respectfully submits pending claims 21, 23-30, and 32-39 are in condition for allowance. The Examiner is invited to contact the undersigned if there are any questions concerning this Response.

The Commissioner is authorized to debit or credit Deposit Account No. 23-0280 for any payment **deficiencies or overpayments** associated with this matter.

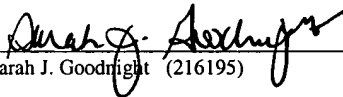
Respectfully submitted,

Dated: January 5, 2005

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 5, 2005.


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